

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

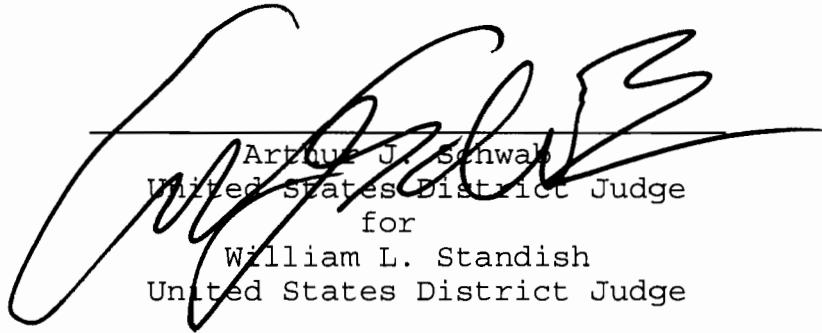
WRS, INC., d/b/a WRS MOTION )  
PICTURE LABORATORIES, a )  
corporation, )  
 ) Plaintiff, )  
 )  
 v. ) Civil Action No. 00-2041  
 )  
PLAZA ENTERTAINMENT, INC., a )  
corporation, ERIC PARKINSON, )  
CHARLES von BERNUTH and JOHN )  
HERKLOTZ, )  
 ) Defendants. )

ORDER

AND NOW, this 21 <sup>st</sup> day of July, 2006, it is hereby ORDERED as follows:

1. The motion of plaintiff, WRS, Inc., for summary judgment (Doc. 91), pursuant to Fed.R.Civ.P. 56, as to the liability of defendant John Herklotz for the debt of Plaza Entertainment under the May 16, 1998 surety agreement is granted.
2. The cross-motion of defendant John Herklotz for summary judgment (Doc. 81), pursuant to Fed.R.Civ.P. 56, as to his liability for the debt of Plaza Entertainment under the May 16, 1998 surety agreement is denied.
3. The alternative motion of defendant John Herklotz for partial summary judgment (Doc. 81), pursuant to Fed.R.Civ.P. 56, as to his liability for the debt of Plaza Entertainment under the May 16, 1998 surety agreement is denied.

4. The motion of defendant John Herklotz for summary judgment (Doc. 81), pursuant to Fed.R.Civ.P. 56, as to damages is denied.



Arthur J. Schwab  
United States District Judge  
for  
William L. Standish  
United States District Judge

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